

Koesterer, Elizabeth

From: Herstowski, Ken
Sent: Tuesday, June 06, 2017 2:46 PM
To: Koesterer, Elizabeth
Subject: FW: RIE Coatings LLC NOPF Response
Attachments: EPA Evaluation Dubuque 05-2017.pdf; NOPF Response 06-2017.pdf; Waste handling and storage maintenance training.pdf

Ken Herstowski
Project Manager
EPA Region 7
ENST/EFCB
300 Minnesota Avenue
Kansas City, KS 66101

9135517631
herstowski.ken@epa.gov

From: Jeremy Wylie [mailto:jeremyw@rie coatings.com]
Sent: Tuesday, June 06, 2017 2:20 PM
To: Herstowski, Ken <Herstowski.Ken@epa.gov>; Witkovski, Gary <Witkovski.Gary@epa.gov>
Cc: Kate Gorr <kateg@rie coatings.com>; Dan Ortloff <DanO@rie coatings.com>; Brady Schmitt <bradys@rie coatings.com>
Subject: RIE Coatings LLC NOPF Response

Hello,

Please see attached.

Thank you,

Jeremy Wylie
Health & Safety
Coordinator/Quality



RIE Coatings, LLC
221 Logeais Street
PO Box 350
Eden Valley, MN 55329-1646
Main Line - 320-207-3140
Direct Line - 320-207-3117

jeremyw@rie coatings.com
www.rie coatings.com

RCRA



564506

RIE's mission is to be the clear supplier of choice by providing superior customer service, responsiveness, quality, innovation and products.

Hello Gary,

I'm writing you in response to our recent evaluation conducted by William Starks, who was contracted by Kenneth Herstowski, to our Dubuque Iowa facility located at 5301 Chavenelle Road. Mr. Herstowski provided us with a notice of preliminary findings which listed observations regarding "Failure to mark used oil storage container with the words used oil" and "Illegal treatment of a hazardous waste". We agree that these findings are relevant and do need to be corrected. In response to these findings we have implemented weekly inspections for proper container closure, proper labeling of containers and proper storage of hazardous waste including training to identify these needs. I've attached some of our documents in email which were used for training of the employees conducting these audits. The facility will also be audited by myself and/or other on site management periodically to ensure these corrective actions are maintained. In addition, all employees will receive training in regards to the handling and collection of hazardous waste when hired and is included in a safety orientation. With the implementation of these routines and trainings we feel that we can successfully maintain compliance with regulations set forth by your agency. I thank you for your time and we stay open to any resources or suggestions on keeping our facilities and employees safe and compliant as well as the surrounding community and environment. Feel free to contact me any time and we'll be patiently waiting for your response.

Best Regards,

Jeremy Wylie
Health & Safety
Coordinator/Quality



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Hazardous Waste

Hazardous Waste may be accumulated at the workstation based on the following criteria:

- Only one satellite container per type of waste.
- The container must not be larger than 55 gallons.
- The container must always be accessible.
- All containers must be properly closed. (Bungs tight and/or locking ring secured when not in use.)
- The label must state the contents.
- The waste must be compatible with other drums/containers in the immediate vicinity.

Previous vendor labels and 3X Rinsed Labels on the container must be defaced or removed.

Satellite Storage Procedure

- The container must be Properly Labeled.
(Request Hazardous Waste Label from supervisor if needed)
- List current “Start” date and contents on container label.
- Write the word “Satellite” on the label.
- List the “Full” date when the container becomes full.
- Barrel must be brought to a designated Hazardous Waste Storage Area when full

Ensure all buckets containing hazardous waste have been emptied by the end of your shift.

Hazardous Waste Storage

- All containers must be properly closed. (Bungs tight and/or locking ring secured.)
- All vendor and other labels must be defaced. A Hazardous Waste Label must be on the drum and be legible and dated.
- Containers must be easily accessible.
- Sufficient aisle space must exist between all drums to read the hazardous waste labels.
- Incompatible wastes must be kept separate.
- Notify supervisor when a container has been placed in storage.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

Science and Technology Center
300 Minnesota Avenue
Kansas City, Kansas 66101

FROM: Kenneth Herstowski
Environmental Sciences & Technology Division

TO: Authorized Representative of Inspected Facility

I am the EPA Task Order Contract Officer Representative for the contractor who is conducting a Resource Conservation and Recovery Act Compliance Evaluation Inspection at your facility. If you have any questions or concerns about the inspection process or findings please feel free to contact me by phone, email or letter:

Kenneth Herstowski
U.S. EPA Region 7
300 Minnesota Ave.
Kansas City, KS 66101-2912

Telephone: 913 551-7631
Email: herstowski.ken@epa.gov

At the end of the inspection, the contractor may leave you with a Notice of Preliminary Findings (NOPF), which will list any potential areas of non-compliance that were observed during the course of the inspection. The contract inspector will discuss these items with you, and I encourage you to ask questions to ensure that you fully understand the issues. **Although not required, I also encourage you to provide a written response to the Notice of Preliminary Findings.** The response should include a discussion of whether you agree with each of the findings, and what actions you plan (or have already completed) as corrective measures. Corrective actions taken place by your facility will be considered in subsequent enforcement follow-up.



**ENVIRONMENTAL
PROTECTION AGENCY**

Gary R. Witkovski

Environmental Engineer
Environmental Field Compliance Branch
Environmental Sciences & Technology Division

Neal Smith Federal Building
210 Walnut Street, Room 473
Des Moines, IA 50309-2109

Telephone: (515) 284-4029
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E-mail: witkovski.gary@epa.gov

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RECEIPT FOR DOCUMENTS AND SAMPLES

Facility Name

Rie Coatings Inc.

Facility Address

5301 Chavenelle Rd. Ste 400, Dubuque, IA 52002

Documents Collected? YES ☒ (list below) NO ☐

Samples Collected? YES ☐ (list below) NO ☒ Split Samples: YES ☐ NO ☐

Documents/ Samples were: 1) Received no charge ☒ 2) Borrowed ☐ 3) Purchased ☐

Amount Paid: \$ ☒ Method: Cash ☐ Voucher ☐ To Be Billed ☐

The documents and samples described below were collected in connection with the administration and enforcement of the applicable statute under which the information is obtained.

Receipt for the document(s) and/or sample(s) described below is hereby acknowledged:

Hazardous and Nonhazardous Waste Manifests (2 pages)

2016 and 2017 Waste Summary Reports (4 pages)

Filter Cake Laboratory Analysis (16 pages)

Wastewater Discharge Permit (18 pages)

Safety Data Sheets (37 pages)

Facility Map (1 page)

Facility Representative (print)

Todd Wenthold

Signature/Date

Todd Wenthold

5/23/2017

Inspector (print)

William F. Starks

Signature/Date

William F. Starks

05/23/2017

U.S. EPA, Region 7, 11201 Renner Blvd., Lenexa, KS 66219-4203

Booz Allen Hamilton

NOTICE OF PRELIMINARY FINDINGS

FACILITY NAME: Rie Coatings Inc.
ADDRESS: 5301 Chavenelle Rd. Ste 400
Dubuque, IA 52002
EPA ID NUMBER: IAR 060521211 DATE: 05/23/2017

NOTICE: I am not an employee of the Environmental Protection Agency ("EPA"). I am a contractor for EPA retained to conduct compliance evaluation inspections. The following is a list of observations/recommendations found during this inspection which will be reported back to EPA. This is not to be construed as a complete list of observations/recommendations. The EPA will be evaluating the report prepared as a result of this inspection and making the determinations as to what violations may have occurred at your facility.

1. Failure to mark used oil storage container with the words "Used oil," 40 CFR 279.22(c)(1).
2. Illegal treatment of a hazardous waste, 40 CFR 261.5(g)(3).
3. _____
4. _____
5. _____
6. _____
7. _____

If you have any questions regarding these findings please contact Gary Witkowski US EPA

The undersigned person hereby acknowledges receipt of a copy of this document and has read the same.

PRINTED NAME: Todd Wentholt TITLE: President
SIGNATURE: Todd Wentholt

This document was prepared by William F. Starks

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CONFIDENTIALITY NOTICE

| | |
|--|---------------------------|
| Facility Name <i>Rie Coatings Inc.</i> | |
| Facility Address <i>5301 Chavenelle Rd. Ste 400, Dubuque, IA 52002</i> | |
| Inspector (print) <i>William F. Starks</i> | |
| U.S. EPA, Region 7, 11201 Renner Blvd., Lenexa, KS 66219 <i>Booz Allen Hamilton</i> | Date <i>05/23/2017</i> |

The United States Environmental Protection Agency (EPA) is obligated, under the Freedom of Information Act, to release information collected during inspections to persons who submit requests for that information. The Freedom of Information Act does, however, have provisions that allow EPA to withhold certain confidential business information from public disclosure. To claim protection for information gathered during this inspection you must request that the information be held CONFIDENTIAL and substantiate your claim in writing by demonstrating that the information meets the requirements in 40 CFR2, Subpart B. The following criteria in Subpart B must be met:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.
2. No statute specifically requires disclosure of the information.
3. Disclosure of the information would cause substantial harm to your company's competitive position.

Information that you claim confidential will be held as such pending a determination of applicability by EPA.

| | |
|---|--|
| I have received this Notice and <u>DO NOT</u> want to make a claim of confidentiality at this time. | |
| Facility Representative Provided Notice (print) <i>Todd Wenthold</i> | Signature/Date <i>Todd Wenthold 5/23/2017</i> |

| | |
|--|----------------|
| I have received this Notice and <u>DO</u> want to make a claim of confidentiality. | |
| Facility Representative Provided Notice (print) | Signature/Date |

Information for which confidential treatment is requested:
